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Convention on the Rights of Persons with Disabilities

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Conference of States Parties to the Convention on the Rights of Persons with Disabilities
First session
New York, 31 October and 3 November 2008

Provisional rules of procedure for the Conferences of States Parties to the Convention on the Rights of Persons with Disabilities

Submitted by the Secretary-General

I. Sessions

Rule 1

1. The Conference of States Parties shall meet regularly in sessions which shall be held biennially or upon the decision of the Conference.

2. The date of commencement and duration of each session shall be decided by the Conference at the previous session, on the recommendation of the bureau of the Conference made in consultation with the secretariat.

3. The secretariat shall notify the States parties, as well as observers referred to in part XIV of these rules of procedure, at least four months in advance of each session of the opening date, place and expected duration thereof.

4. The sessions of the Conference shall take place at United Nations Headquarters in New York, unless the Conference decides otherwise or other appropriate arrangements are made by the secretariat in consultation with the States parties.

II. Accessibility

Rule 2

The Conference and its secretariat shall accept and facilitate the use of sign languages, Braille, augmentative and alternative communication, and other accessible means, modes and formats of communications of their choice by persons with disabilities in the Conference, and all related activities.

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III. Secretariat

Rule 3

The Secretary-General of the United Nations shall be responsible for making the arrangements connected with the Conference. The Secretary-General or his or her representatives may participate in the Conference and make either oral or written statements to the Conference concerning any question under consideration.

IV. Competence of the Conference of the States Parties

Rule 4

1. In accordance with article 34, paragraph 5, of the Convention, the Conference elects members of the Committee on the Rights of Persons with Disabilities (the Committee) taking account of article 34, paragraph 4, of the Convention.

2. The Conference may address any matter with regard to the implementation of the Convention.

V. Agenda

Rule 5

1. The provisional agenda for the session shall be drawn up by the secretariat in consultation with the bureau.

2. The provisional agenda for a session shall include:

(a) Items arising from the provisions of the Convention;

(b) Items the inclusion of which has been decided at a previous session of the Conference;

(c) Items relating to the organization of the session;

(d) Any item proposed by any State party, the bureau or the Secretary-General.

3. The provisional agenda for a session shall be communicated to the States parties, as well as observers referred to in part XIV, at least two months in advance of each session, together with any supplementary documentation, if necessary.

4. At each session, the provisional agenda shall be submitted to the Conference for consideration and approval as soon as possible after the opening of the session.

VI. Representation and credentials

Rule 6

Each State party to the Convention shall be represented at the Conference by an accredited representative. If more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required.

Rule 7

The credentials of the representatives and the names of members of a delegation shall be submitted to the Secretary-General of the United Nations, if possible not less than one week before the date fixed for the opening of the Conference. The credentials shall be issued by the Head of State or Government or by the Minister for Foreign Affairs. The Secretary-General shall report to the Conference on the credentials.

Rule 8

Pending the decision of the Conference upon the report of credentials, the representatives of the States parties shall be entitled to participate provisionally in the Conference.

VII. Officers

Rule 9

The Conference shall elect a bureau consisting of one President and four Vice-Presidents from among the representatives of the States parties to serve for a term of two years.

Rule 10

If the President is absent from a meeting or any part thereof, a Vice-President nominated by him or her shall preside. The Vice-President, when acting as Chairperson, shall have the same powers and duties as the President.

Rule 11

The President may, or the Vice-President acting as a President may in his or her capacity as representative, appoint his or her alternates or advisers to participate in the proceedings and to vote in the meetings in his or her place. In such a case, the President or Acting President shall not vote.

VIII. Conduct of business

Rule 12

A quorum shall be constituted by the representatives of two thirds of the States parties to the Convention.

Rule 13

The President shall declare the opening and closing of each Conference of States Parties, and at such Conferences shall direct the discussions, accord the right to speak, put questions to the vote, announce decisions, rule on points of order and, subject to these rules of procedure, have complete control of the Conference. In exercising these functions the President shall remain under the authority of the Conference.

IX. Voting

Rule 14

Each State party represented at the Conference shall have one vote. Regional integration organizations, as defined in article 44, paragraph 1, of the Convention, in matters within their competence, may exercise their right to vote in accordance with article 44, paragraph 4, of the Convention.

Rule 15

Decisions of the Conference shall be made by a majority of the representatives present and voting except as regards the election of the Committee on the Rights of Persons with Disabilities, which shall be conducted in accordance with part X of these rules of procedure.

Rule 16

For the purposes of these rules, the phrase "representatives of States parties to the Convention present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

X. Election of the members of the Committee on the Rights of Persons with Disabilities

Rule 17

1. Members of the Committee shall serve in their personal capacity and shall be of high moral standing and recognized competence and experience in the field covered by the Convention.

2. The members of the Committee shall be elected by secret ballot from a list of persons possessing the qualifications described in paragraph 1 of this rule and nominated by the States parties from among their nationals, consideration being given to equitable geographical distribution, representation of the different forms of civilization and of the principal legal systems, balanced gender representation and participation of experts with disabilities. The list of all persons nominated shall be prepared by the Secretary-General and submitted to the States parties in conformity with article 34, paragraph 6, of the Convention.

Rule 18

Elections of the members of the Committee shall be held by secret ballot.

Rule 19

The persons elected to the Committee shall be those nominees who obtain in the first ballot the largest number of votes and an absolute majority of the votes of the representatives of States parties present and voting. If the number of candidates obtaining such majority is less than the number of persons to be elected, there shall be additional ballots to fill the remaining places. The subsequent voting shall be restricted to the candidates who obtained the largest number of votes in the previous

ballot and the number of candidates shall be limited to not more than twice the places remaining to be filled, with the provision that, after the third inconclusive ballot, votes may be cast for any eligible nominee.

XI. Languages

Rule 20

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference.

XII. Records

Rule 21

A report containing the text of all formal decisions adopted by the Conference shall be distributed by the Secretary-General of the United Nations in the languages of the Conference, as well as in accessible formats as soon as possible after the Conference.

Rule 22

Official records of the Conference shall be drawn up by the Secretariat of the United Nations in the languages of the Conference, as well as in accessible formats.

Rule 23

Sound recordings of the Conference shall be made and kept in accordance with the practice of the United Nations.

XIII. Publicity

Rule 24

The Conference shall meet in public unless decided otherwise.

XIV. Observers

Rule 25

1. Any State or regional integration organization signatory to the Convention in accordance with its article 42 shall be entitled to participate as an observer in the deliberations of the Conference.

2. Any other State or regional integration organization that has not signed the Convention, as well as other relevant intergovernmental organizations may apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

3. Representatives designated by any organization having been granted observer status in the United Nations by a resolution of the General Assembly may participate as observers in the deliberations of the Conference.

4. Representatives designated by United Nations bodies, specialized agencies and funds, as well as representatives of functional commissions of the Economic and Social Council, may participate as observers in the deliberations of the Conference.

5. Representatives of accredited non-governmental organizations may participate as observers in the deliberations of the Conference. Accreditation shall be granted to:

(a) Non-governmental organizations in consultative status with the Economic and Social Council;

(b) Non-governmental organizations previously accredited to the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities;

(c) Other non-governmental organizations subject to the approval of the Conference by consensus.

XV. Reference to rules of procedure of the General Assembly

Rule 26

Any procedural matter arising at meetings which is not covered by these rules shall be dealt with by the Chairperson in the light of the rules of procedures of the General Assembly which may be applicable to the matter at issue.

XVI. Amendments

Rule 27

These rules of procedure may be amended by a decision of the Conference of the States Parties to the Convention, provided that the amendment is not inconsistent with the provisions of the Convention.